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| 09/551,919   | 04/19/2000  | Joseph P.R. Tosey    | 50014.US01          | 3485             |
| 23552  | 7590        | 11/19/2003           | EXAMINER            |                  |
| MERCHANT & GOULD PC<br>P.O. BOX 2903<br>MINNEAPOLIS, MN 55402-0903 |             |                      | DADA, BEEMNET W     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2131                |                  |

DATE MAILED: 11/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/551,919

Applicant(s)

TOSEY, JOSEPH P.R.

Examiner

Beemnet W Dada

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. All claims have been examined. Claims 1-34 are pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 7, 11-12, 18, 22-23, 29, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natio et al. (hereinafter referred to as Natio) (U.S. Patent No. 5,875,345) in view of Johnson et al. (hereinafter referred to as Johnson\_097) (U.S. Patent No. 5,664,097).

4. As per claims 1, 12 and 23, Natio teaches a method for securing an information processing system such as a personal computer. The method includes an authentication process to start the system (column 2, lines 40-45). Natio further teaches a method for determining if the system has been unused for a predetermined time period by measuring the expiration of a predetermined time since a last user input, and the system is resumed when user operates the device (column 1, lines 57-62), and

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suspending the system if it has not been used for a first predetermined period (column 2, lines 45-48). The method further includes continuing operation if the system resumes back within a second predetermined time period (column 3, lines 63-67 and column 4, lines 1-25). Natio also teaches performing an authentication process if the system resumes after second predetermined time period (column 3, lines 63-67 and column 4, lines 1-25). Natio does not explicitly teach performing authentication when the system resumes within the second predetermined time period. However, Johnson\_097 teaches a data processing system for delaying the activation of inactivity security mechanism by inputting predetermined signal such as voice recognition method for authenticating the user (column 2, lines 35-44 and column 4, lines 41-45). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Natio so as to include an authentication process to delay locking up of a user interface as per teachings of Johnson\_097. One would have been motivated to make such modification in view of the suggestion in Natio that in a system where improved system security is stressed, authentication could be necessary, because this incorporation further improves system security.

5. As per claims 7, 18, and 29, Natio as modified above teaches a method of authorization of a computer system. Natio further teaches continuing operation if the system resumes back within a second predetermined time period (column 3, lines 63-67 and column 4, lines 1-25), but fails to explicitly teach inputting a predetermined signal to the user operated device in the second predetermined period. However, Johnosn\_097

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teaches a data processing system for delaying the activation of inactivity security mechanism by inputting predetermined signal such as voice recognition method for authenticating the user (column 2, lines 35-44 and column 4, lines 41-45). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the system of Natio so as to include an authentication process using a predetermined signal to delay locking up of a user interface. One would have been motivated to make such modification in view of the suggestion in Natio that in a system where improved system security is stressed, authentication could be necessary, because this incorporation further improves security of the system.

6. As per claims 11, 22 and 33, Natio as modified above teaches a method of authorization of a computer system. Natio further teaches continuing operation if the system resumes back within a second predetermined time period (column 3, lines 63-67 and column 4, lines 1-25), but fails to explicitly teach inputting a predetermined audio voice signal to the user operated device in the second predetermined period. However, Johnosn\_097 teaches a data processing system for delaying the activation of inactivity security mechanism by inputting predetermined signal such as voice recognition method for authenticating the user (column 2, lines 35-44 and column 4, lines 41-45). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Natio so as to include an authentication process using a predetermined signal such as audio signal to delay locking up of a user interface. One would have been motivated to make such modification in view of the

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suggestion in Natio that in a system where improved system security is stressed, authentication could be necessary, because this incorporation further improves security of the system.

7. Claims 2, 13, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natio in view of Johnson\_097 as applied to claims 1, 12, and 23 above, and further in view of Johnson et al. (hereinafter referred to as Johnson\_475) (U.S. Patent No. 5,682,475).

The combination of Natio and Johnson\_097 as mentioned above teaches a method of authorization of a computer system, but fails to explicitly teach the authentication steps. However, Johnson\_475 teaches a method and steps of the authentication. The method includes prompting a logon entry and a password entry (column 3, 55-60). The method further includes, first entering a userid, then entering a password, and verifying that the entered userid and password correspond to an authorized user (column 1, 25-35). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of Natio and Johnson\_097 so as to include an authentication method as per teachings of Johnson\_475, because it will allow a user to be granted access into the system after verifying the userid and password, further improving the security of the system. Therefore it would have been obvious to employ the teachings of Johnson\_475 within the combination of Natio and Johnson\_097 to obtain the claimed invention.

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8. Claims 3-6, 14-17, and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natio in view of Johnson\_097 as applied to claims 1, 12, and 23 above, and further in view of "System Mode Transition with Notification and Adoption," IBM Technical Disclosure Bulletin, September 1995, Vol. 38, Issue No. 9, pages 153-154 (hereinafter referred to as IBM).

9. As per claims 3, 14, and 25, the combination of Natio and Johnson\_097 as modified above teaches a method of authorization of a computer system, but fails to explicitly teach prompting a user that operating session has been suspended. However, IBM teaches a system that notifies (prompts) users of system mode transitions (see IBM). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of Natio and Johnson\_097 so as to include notification as per teachings of IBM, because this modification further notifies users of system mode transitions as per teachings of IBM and allows users to be more conscious and informed about the coming interruption program. Therefore it would have been obvious to employ the teachings of IBM within the combination of Natio and Johnson\_097 to obtain the claimed invention.

10. As per claims 4, 15, and 26, the combination of Natio and Johnson\_097 as modified above teaches a method of authorization of a computer system, but fails to explicitly teach a prompt comprises display of plurality of icons. However, IBM teaches a system that notifies (prompts) users of system mode transitions, and further suggests

various ways of notifying users depending on the hardware and operating system (see IBM). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of Natio and Johnosn\_097 so as to include a prompt comprising a display as per teachings of IBM, because this modification further notifies users of system mode transitions as per teachings of IBM and allows users to be more conscious and informed about the coming interruption program. Therefore it would have been obvious to employ the teachings of IBM within the combination of Natio and Johnson\_097 to obtain the claimed invention.

11. As per claims 5, 16 and 27, the combination of Natio and Johnson\_097 as modified above teaches a method of authorization of a computer system, but fails to explicitly teach a prompt that comprises entering a screen saver mode. However, IBM teaches a system that uses a screen saver mode transition and prior notification of transitions (see IBM). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of of Natio and Johnson\_097 so as to include a screen saver mode as per teachings of IBM, because this modification further notifies users of system mode transitions as per teachings of IBM. Therefore it would have been obvious to employ the teachings of IBM within the combination of Natio and Johnson\_097 to obtain the claimed invention.



12. As per claims 6, 17, and 28, the combination Natio and Johnson\_097 as modified above teaches a method of authorization of a computer system, but fails to explicitly teach a prompt comprises of audio signal. However, IBM teaches a system that notifies (prompt) users of system mode transitions, and further suggests various ways of notifying users depending on the hardware and operating system (see IBM). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the the combination of Natio and Johnson\_097 so as to include audio signal notification as per teachings of IBM, because this modification further notifies users of system mode transitions as per teachings of IBM and allows users to be more conscious and informed about the coming interruption program. Therefore it would have been obvious to employ the teachings of IBM within the combination of Natio and Johnson\_097 to obtain the claimed invention.

13. Claims 8-10, 19-21, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natio in view of Johnson\_097 as applied to claims 7, 18, and 29 above and further in view of Jalili (U.S. Patent No. 6,209,104).

14. As per claims 8, 19 and 30, the combination of Natio and Johnson\_097 as modified above teaches a method of authorization of a computer system, but fails to explicitly teach a method of selecting predetermined icon displayed by a display device for authentication process. However, Jalili teaches a system where a user selects predetermined icon or icons from a display for authentication process (column 3, lines

10-19). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of Natio and Johnson\_097 so as to include visual authentication process as per teachings of Jalili. One would have been motivated to make such modification in view of the suggestion in Jalili, that this modification provides a system that is not easily susceptible to the over-the-shoulder problem (i.e., to password compromise by a third party of the user's keyboard data entry). Therefore it would have been obvious to employ the teachings of Jalili within the combination of Natio and Johnson\_097 to obtain the claimed invention.

15. As per claims 9, 20 and 31, the combination of Natio and Johnson\_097 as modified above teaches a method of authorization of a computer system, but fails to explicitly teach a method of selecting predetermined character displayed by display device for authentication process. However, Jalili teaches a system where a user selects predetermined alphanumeric character display for authentication process (fig 4. and column 3, lines 45-47). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of Natio and Johnson\_097 so as to include visual authentication process as per teachings of Jalili. One would have been motivated to make such modification in view of the suggestion in Jalili, that this modification provides a system that is not easily susceptible to the over-the-shoulder problem (i.e., to password compromise by a third party of the user's keyboard data entry). Therefore it would have been obvious to

employ the teachings of Jalili within the combination of Natio and Johnson\_097 to obtain the claimed invention.

16. As per claims 10, 21, and 32, the combination of Natio and Johnson\_097 as modified above teaches a method of authorization of a computer system, but fails to explicitly teach a method of placing a cursor at a predetermined coordinate for authentication process. However, Jalili teaches a system where a user identifies particular location on set of coordinates for authentication process (Fig 6, and column 7, lines 55-68). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of Natio and Johnson\_097 so as to include visual authentication process as per teachings of Jalili. One would have been motivated to make such modification in view of the suggestion in Jalili, that this modification provides a system that is not easily susceptible to the over-the-shoulder problem (i.e., to password compromise by a third party of the user's keyboard data entry). Therefore it would have been obvious to employ the teachings of Jalili within the combination of Natio and Johnson\_097 to obtain the claimed invention.

17. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Natio in view of Johnson\_097 as applied to claim 29 above, and further in view of Flickner et al. (hereinafter referred to as Flickner) (U.S. Patent No. 6,282,553 B1).

As per claim 34 the combination of Natio and Johnson\_097 as modified above teaches a method of authorization of a computer system, but fails to explicitly teach

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inputting predetermined signal comprises user looking at a predetermined character at a location displayed on a display device. However, Flickner teaches a security method whereby the method includes authentication by receiving a coded input from an eye movement from a user, and the user gazing at least a predetermined key location (column 1, lines 50-57). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the combination of Natio and Johnson\_097 so as to include gaze-based authentication process as per teachings of Flickner. One would have been motivated to make such modification in view of the suggestion in Flickner that it is advantageous to use gaze-based authentication since it is accurate and inexpensive. Therefore it would have been obvious to employ the teachings of Flickner within the combination of Natio and Johnson\_097 to obtain the claimed invention.

### ***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) U.S. Patent No. 6374145 B1 to Lignoul, discloses proximity sensor for screen saver and password delay.
- b) U.S. Patent No. 6,111,517 to Atick et al., discloses a continuous video monitoring using face recognition for access control.

- c). U.S. Patent No. 6,510,415 B1 to Talmor et al., discloses a voice authentication method and system.
- d). U.S. Patent No. 6,360,326 B1 to Hiles, discloses a password delay mechanism.
- e). U.S. Patent No. 6,121,962 to Hwang, discloses a compute system and method for controlling screen display of a monitor in a power management mode.
- f). U.S. Patent No. 6,330,676 B1 to Kelsey, discloses a method and system for the automatic initiation of power application and start-up activities in a computer system.

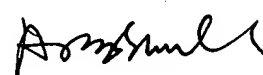
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (703) 305-8895. The examiner can normally be reached on Monday-Friday (8:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5486.

Beemnet Dada

November 04, 2003

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100